

**MINUTES OF THE MEETING
OF THE
BOARD OF PHYSICAL THERAPY**

May 7, 2010

Call to Order

Natalie Harms, Chairperson called the meeting of the Board of Physical Therapy to order on Friday, May 7, 2010 at 9:15 a.m. The meeting was held at the State Office Building, 301 Centennial Mall South, Lincoln, Nebraska in Conference Room Lower Level B. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda at least ten (10) days prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Roll Call

The following board members and State of Nebraska staff members were present:

Natalie S Harms, Chairperson
Rachel Reiman, Vice Chairperson
Lois Beckmann, Secretary
Kent Dunovan, Professional Member
Diane Hansmeyer, Administrator
Bill Wisell, Health Licensing Coordinator
Mike Grutsch, Investigations
Jeff Newman, Investigator
Suzanna Glover-Ettrich, Department Legal Counsel

Call to Order

Ms. Harms announced that this is a public meeting and the Open Meetings Law is posted.

Adoption of the Revised Agenda

Mr. Dunovan moved, seconded by Ms. Beckmann, to adopt the revised agenda. Voting Aye: Beckmann, Reiman, Harms and Dunovan. Voting Nay: None. Motion carried.

Approval of Minutes

Ms. Harms requested the following revision of the January 21, 2010 minutes;

- At the end of paragraph 1, the addition of the sentence “She briefly reviewed testimony both for and against LB 710 and LB 803.”
- Delete everything after the first sentence in paragraph 2.
- Delete paragraph 3.

Ms. Harms indicated that the public testimony of both bills is available for public review. Ms. Beckmann moved, seconded by Ms. Reiman to approve the amendment to the minutes from the

These minutes have yet to be approved by the Board of Physical Therapy

January 21, 2010 meeting. Voting Aye: Dunovan, Beckmann, Reiman and Harms. Voting Nay: None. Motion carried.

Ms. Hansmeyer requested clarification of the minutes for January 25, 2008 Board meeting and asked for the minutes to be discussed later in the meeting.

Understanding Drug and Alcohol Evaluations

Jerome Barry, Director of the BryanLGH Independence Center, gave a presentation to the Board on how to interpret a drug and alcohol evaluation. Mr. Barry explained that someone who has chemical or substance problems can not recover to lead a healthy lifestyle without some kind of recommendations and or treatment. He discussed the differences between abuse and dependency and how the evaluation is used in determining what level of care is necessary to assist the individual in recovery.

Mr. Newman arrived at the meeting 10:00 am

Mr. Barry indicated that individuals who have been diagnosed with either dependence or abuse of alcohol or drugs need continuous treatment and support to assure that their recovery is successful.

The Board thanked Mr. Barry for his presentation.

The Board took a break at 10:20 am

The Board returned at 10:30 am

Legislation Updates

Ms. Hansmeyer provided information from the Nebraska Unicameral indicating that both LB 710 and LB 803 were both indefinitely postponed on April 14, 2010.

Scope of Practice

Paul Gardner, PT submitted an email requesting the Board's opinion on whether a physical therapist could perform a finger prick on a patient and then utilize a hand-held machine to measure the current Coumadin levels in the blood. After discussion, the Board determined that it is not within the scope of practice of a physical therapist because it is not included in their education either didactic or clinical.

Adam Merchant, PTA submitted an email requesting the Board's opinion if a Physical Therapist Assistant can perform craniosacral techniques in Nebraska if they have attended appropriate continuing education in this area and show competency. After discussion, the Board determined that craniosacral techniques are defined under manual therapy techniques that are permissible for physical therapist assistants to perform after appropriate training and determined by the supervising physical therapist.

Mr. Merchant also wanted to know if the Craniosacral Therapy certification program through the Upledger Institute was acceptable. After discussion, the Board decided to not address this question as the Board does not pre-approve educational programs.

Suzanna Glover-Ettrich arrived at the meeting at 10:56 am

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Mount St Mary's Telehealth Interest Survey

Mount St Mary's College submitted a survey requesting input on telerehabilitation from state agencies. The Board decided to not participate as a Board but that individuals could participate if they wanted.

Physical Therapist Guidelines (Attachment A)

Kelly McCann, MPT that the Board submit a written confirmation that the Nebraska Physical Therapy Act permits a physical therapist to perform this type of medication review and education. After discussion the Board determined that this medication review as outlined in this question is not within the scope of practice of a physical therapist.

General Education Courses for Foreign Trained Students

Ms. Hansmeyer brought a request from a foreign trained applicant for licensure asking if specific courses will cover the general education requirements needed for licensure. The Board determined that as long as the applicant takes courses that are required by the coursework tool they can be used for licensure. The Board will not and does not pre-approve each course.

Definition of Physical Therapy

Ms. Hansmeyer introduced definitions obtained from Special Education, Medicare and Home Health Regulations that were requested by the Board at the November 23, 2009 meeting. The Board requested that a letter be sent to those respective departments suggesting that they refer to 172 NAC 137 for a definition of physical therapy and they place this reference in their regulations. The letter should also state that a Board member would be available for consultation when they revise their respective regulations.

Licensee Assistance Program (LAP) Report

Ms. Hansmeyer provided updated information about the quarterly report and suggested that the Board continue to make the practitioners aware of the LAP program.

CBT Comment Summary

Ms. Hansmeyer provided the Board with reports for the testing results and comments from individuals who completed the National Physical Therapist Examination during the previous two quarters.

2010 Budget

The Federation of State Boards of Physical Therapy provided the Board with a copy of the 2010 Budget information. Ms. Harms indicated that according to the budget, funding for orientation of new board members is included.

Department of Education Response Letter

The Nebraska Department of Education provided the Board a letter in response to the Boards concern about the use of physical therapists and physical therapist assistants practicing outside of

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their scope of practice in the use of the coaching model in special education and related services or in early intervention services.

The Office of Special Education agrees with the Board that the use of physical therapists as a coach in the early intervention model can be used as long as the coaching/consultation is within their scope of practice.

Clarification of Continuing Competency Programs

Ms. Hansmeyer requested clarification of information concerning continuing competency programs stated during the January 25, 2008 meeting. She provided information from the American Physical Therapy Association (APTA) website concerning specialist certification.

Ms. Harms indicated that on page 4 of the January 25, 2008 minutes the following needed to be corrected:

- Paragraph six should read “Mr. Stuberg moved, seconded by Ms. Harms that the American Board of Physical Therapist Specialist Examination...”
- Paragraph seven should read “Ms. Harms moved, seconded by Mr. Stuberg that the American Board of Physical Therapist Specialist Certification...”

Mr. Dunovan moved, seconded by Ms. Reiman to approve the corrected January 25, 2008 minutes. Voting Aye: Harms, Dunovan, Beckmann and Reiman. Voting Nay: None. Motion carried.

Nebraska Methodist College Announcement

Ms. Hansmeyer announced that the Nebraska Methodist College Physical Therapist Assistant program received accreditation.

Nebraska Law Tutorial Update

Mr. Wisell provided statistical information of people that have attempted the online Nebraska Law Tutorial Exam. This exam is a licensing requirement for all physical therapists and physical therapist assistants. Mr. Wisell indicated that there have been 47 attempts and 44 individuals were required to take the exam to meet licensure requirements.

Ms. Glover-Ettrich left the meeting at 11:58 p.m.

Closed Session

Ms. Harms moved, seconded by Ms. Reiman, to go into closed session at 12:00 p.m. Voting Aye: Reiman, Harms, Beckmann, and Dunovan. Voting Nay: None. Motion carried.

Open Session

Ms. Beckmann moved, seconded by Mr. Dunovan to come out of closed session at 12:55 p.m. Voting Aye: Beckmann, Harms, Dunovan and Reiman. Voting Nay: None. Motion carried.

Applications

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Mr. Dunovan moved, seconded by Ms. Beckmann that the Board approve licensure of Ryan Hough, Curtis Krobot, Jed Droge and Stephanie Nigro pending their meeting licensure requirements. Voting Aye: Reiman, Harms, Beckmann, and Dunovan. Voting Nay: None. Motion carried.

Mr. Dunovan moved, seconded by Ms. Beckmann that the Board offer Lindsey Myers, pending her successfully completing licensure requirements, a probationary license through December 23, 2011 with the conditions as follows:

1. Meet the conditions of her court ordered probationary requirements
2. Completion of a chemical evaluation at the end of the probation.

This probation is based on multiple alcohol related convictions and a diagnosis of alcohol abuse from her current chemical dependency evaluation. Voting Aye: Reiman, Beckmann, Dunovan and Harms. Voting Nay: None. Motion carried.

Topics for Next Meeting

The following topics will be added to the agenda for the next scheduled Board Meeting:

- Board Opinion of Medication Review and Education
- FSBPT National Meeting

The next meeting of the Board of Physical Therapy will be August 30, 2010 unless otherwise needed.

Adjournment

There being no further business, the meeting was adjourned at approximately 1:10 pm.

Respectfully submitted by:

Lois Beckmann, Secretary

Prepared by: Bill Wisell, Health Licensing Coordinator